

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JUDITH FESTA, et al., )  
                                )  
                                )  
Plaintiff,                 ) CIVIL ACTION  
                                ) NO. 05-10667-WGY  
v.                            )  
                                )  
SIMON PROPERTY GROUP, INC., )  
                                )  
                                )  
Defendant.                 )

**NOTICE OF AND ORDER REGARDING MEDIATION**

In accordance with the Notice of Assignment of ADR Provider dated February 28, 2006, the parties are hereby notified that the court has scheduled a mediation conference for **Tuesday, March 14, 2006, at 9:30 A.M.** in Courtroom #15 on the 5<sup>th</sup> Floor. Counsel are directed to be present with their respective clients or representatives thereof with full settlement authority.

In addition, each party shall submit to Magistrate Judge Dein **no later than five (5) days before the conference** a brief memorandum addressing the party's position on the merits of the case and on settlement. The memorandum should be marked **"Confidential - Not for Docketing"** and will be held in confidence by the court.

In the event that you believe the case is not ripe for mediation at this time, please notify opposing counsel and the court as soon as possible.

IT IS SO ORDERED

DATED: March 1, 2006

/ s / Judith Gail Dein  
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Judith Gail Dein  
United States Magistrate Judge